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June 22, 2008

Hon. Victor Marrero, U.S.D.J.
United States District Court
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: *U.S.A. v. Jason Jones, et al.*
08 Cr. 535 (VM)

Dear Judge Marrero:

I am writing on behalf of death eligible defendant Jason Jones, whom I have been assigned to represent. For the reasons discussed below I respectfully request that the Court approve the following: 1) appointment of myself pursuant to 18 U.S.C. § 3005, *nunc pro tunc* from the date of my initial appointment, and that counsel be compensated at the rate of \$170.00 per hour; 2) appointment of Frederick H. Cohn, Esq. as "learned counsel" pursuant to 18 U.S.C. § 3005 at the rate of compensation of 170.00 per hour, *nunc pro tunc* from May 30, 2008; 3) appointment of James Dowd of Andrews International, pursuant to 18 U.S.C. § 3599, as a private investigator at the rate of one hundred dollars per hour, and 4) that counsel and private investigator be permitted to file interim vouchers.

Mr. Jason and his brother, Corey Jones are accused in the instant indictment of the death eligible offense of 18 U.S.C. § 924(j). It is alleged, in substance, that the two defendants possessed a firearm and used it to murder a government witness. I was contacted for the assignment because I am a member of the CJA Capital Panel. It is customary that in these situations "learned counsel" be appointed as well. Capital counsel are routinely appointed pursuant to 18 U.S.C. § 3005 at the maximum statutory rate of \$170.00. I respectfully request that Your Honor do so *nunc pro tunc* to my initial appointment and permit the filing of interim vouchers, a standard practice in capital matters due to the length of the mitigation investigation, preauthorization process and amount of hours that must be expended to properly represent a potential capital defendant.

As a "learned counsel", I request the appointment of Frederick H. Cohn, Esq., another member of the CJA Capital Panel. Mr. Cohn has extensive capital experience, has tried a penalty phase in this District, and is well respected in this area. I further request that he be appointed pursuant to 18 U.S.C. § 3005, be compensated at the capital rate of \$170.00 per hour, and be permitted to file interim vouchers.

18 U.S.C. § 3599(f) provides:

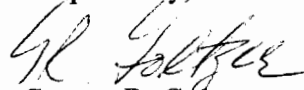
Upon a finding that investigative, expert, or other services are reasonably necessary for the representation of the defendant, whether in connection with issues relating to guilt or the sentence, the court may authorize the defendant's attorneys to obtain such services on behalf of the defendant and, if so authorized, shall order the payment of fees and expenses therefor under subsection (g).

I request that the Court appoint James Dowd of Andrews International to investigate on behalf of Mr. Jason Jones. Under the Department of Justice Death Penalty Guidelines and Procedures, defense counsel must be given an opportunity to present mitigating factors to the United States before it determines whether to request the Attorney General's authorization to pursue the death penalty, as well as to the Department of Justice Review Committee in the event that such a request is made or the Review Committee considers authorization even in the absence of a local request. Preparation of mitigation presentations, as well as trial preparation, require intense investigation. Mr. Dowd has already begun to investigate significant issues in this case, so I am requesting that he be appointed *nunc pro tunc* from May 30, 2008. He is a former New York City Homicide Detective.

Assuming that Mr. Cohn is appointed, he will move for the appointment of a mitigation specialist. At that time, we will present Your Honor with a preliminary budget. In that regard, we will contact Jerry Tritz of the Circuit Court of Appeals for advice and assistance.


Because this letter relates to Mr. Jones' defense, it is submitted *ex parte*. If this application is agreeable, may I impose upon Your Honor to endorse this letter and return a copy to me at your convenience. If Your Honor requires further information, I am of course available at your convenience. Thank you for your kind attention to these matters. I remain

Respectfully,


George R. Goltzer

cc: Frederick H. Cohn, Esq.
James Dowd
(Via electronic mail)

GRG/ms

Request is GRANTED in part. Attorneys George R. Goltzer and Frederick H. Cohn are appointed counsel and lead counsel for defendant Jason Jones <i>nunc pro tunc</i> to the date of initial appointment and may be compensated at the rate of \$170.00 per hour. The request for appointment of a private investigator will	
SO ORDERED: be considered upon submission of an hourly rate and maximum amount proposed.	
6-26-07	
DATE	VICTOR MARRERO, U.S.D.J.